IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHELLE BARNETT, : No. 3:18cv637

Plaintiff

(Judge Munley)

V.

: (Magistrate Judge Carlson)

NANCY A. BERRYHILL,

Acting Commissioner of Social

Security,

:

Defendant :

<u>ORDER</u>

AND NOW, to wit, this 7th day of March 2019, it is **HEREBY ORDERED** as follows:

- 1) The magistrate judge's report and recommendation (Doc. 15) is **ADOPTED**;
- 2) The defendant's objections (Doc. 16) are **OVERRULED**;
- 3) The decision of the Commissioner to deny the plaintiff's social security benefits is **VACATED**;
- 4) The plaintiff's request for a new administrative hearing is **GRANTED**;
- 5) The Clerk of Court is directed to enter judgment in favor of the plaintiff and against the defendant and to close the case; and

6) The Clerk of Court is directed to remand this case to the Commissioner for further action consistent with the report and recommendation and this court's memorandum.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court